



## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 21-130; RM-11897; DA 22-33; FR ID 67663]

### Television Broadcasting Services Portland, Oregon

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** On July 16, 2021, the Media Bureau, Video Division (Bureau) issued a *Notice of Proposed Rulemaking (NPRM)* in response to a petition for rulemaking filed by KPTV Broadcasting Corporation (Petitioner), the licensee of KPTV, channel 12, Portland, Oregon, requesting the substitution of channel 21 for channel 12 at Portland in the Table of Allotments. For the reasons set forth in the *Report and Order* referenced below, the Bureau amends FCC regulations to substitute channel 21 for channel 12 at Portland.

**DATES:** Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**FOR FURTHER INFORMATION CONTACT:** Joyce Bernstein, Media Bureau, at (202) 418-1647 or [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The proposed rule was published at 86 FR 43470 on August 9, 2021. The Petitioner filed comments in support of the petition reaffirming its commitment to apply for channel 21. Gray Television, Inc., which acquired the station, also filed comments in support of the petition and stating its commitment to apply for channel 21. In support of its channel substitution request, the Petitioner states that the Commission has recognized that VHF channels have certain characteristics that pose challenges for their use in providing digital television service. In addition, the Petitioner has received numerous complaints of poor or no reception from viewers. Finally, the Petitioner demonstrated that the channel 21 noise limited contour would fully encompass the existing channel 12 contour, and an analysis using the Commission's *TVStudy* software indicates that Petitioner's proposal would result in an

increase of 39,677 persons predicted to receive KPTV service and 499 persons that would gain a second over the air signal.

This is a synopsis of the Commission's *Report and Order*, MB Docket No. 21-130; RM-11897; DA 22-33, adopted January 12, 2022, and released January 12, 2022. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to this proceeding.

The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

### **List of Subjects in 47 CFR Part 73**

Television.

FEDERAL COMMUNICATIONS COMMISSION.

**Thomas Horan,**  
*Chief of Staff,*  
*Media Bureau.*

### **Final Rule**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

## PART 73 -- RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

2. In § 73.622(j), amend the Table of Allotments, under Oregon, by revising the entry for Portland to read as follows:

### § 73.622 Digital television table of allotments.

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(j) \*\*\*

Community	Channel No.
*****	
OREGON	
*****	
Portland	*10, 21, 24, 25, 26, 32
*****	

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